

# HOUSE . . . . . No. 771

By Mr. O’Flaherty of Chelsea, petition of Eugene L. O’Flaherty relative to the issuance by the courts of restraining orders involving non-family members. The Judiciary.

## The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO RESTRAINING ORDERS INVOLVING NON-FAMILY MEMBERS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Section 19 of chapter 218 of the General Laws, as appearing in  
2 the 2002 Official Edition, is hereby amended by adding at the end  
3 thereof the following paragraph:—  
4 The Boston municipal court and district court departments shall  
5 further have original jurisdiction in equity concurrent with the  
6 superior court to enjoin one person from inflicting abuse upon  
7 another person. “Abuse” shall mean a) attempting to cause or  
8 causing physical harm or b) placing another in fear of imminent  
9 serious physical harm. This paragraph shall not apply to matters in  
10 which the parties are a) family or household members, pursuant to  
11 chapter 209A of the General Laws, b) landlord and tenant, or  
12 c) employer and employee.